

**Note: An index listing each complaint and corresponding page number is located at the end of this memo.**

## **M E M O R A N D U M**

TO: Members, Public Disclosure Commission

FROM: Philip E. Stutzman  
Director of Compliance

DATE: July 18, 2000

SUBJECT: Status of Compliance Cases

Enclosed is an update of all compliance activity since Susan's last memo to you dated June 13, 2000. If you would like additional information, please let me know.

### **Part I**

### **Investigations Completed**

#### **Cases Scheduled For Hearing:**

**Cooney, Sadie Charlene--Case #99-053; Investigator: Charlie Schreck**

Date Received: October 22, 1998

Date Started: October 23, 1998

Section of Law: RCW 42.17.130 and .680

Status: Investigation Complete

Summary: A complaint was received from Lynda Rouse, alleging that Sadie Charlene Cooney has used public facilities for campaign activities. The complainant alleged that for several years Ms. Cooney has directed employees to work on political campaigns using resources of the County Assessor's office. The complainant also alleged that Ms. Cooney has created a hostile work environment, and has discriminated against employees in violation of RCW 42.17.680.

Disposition: An enforcement hearing was scheduled for July 25, 2000. However, the Respondent asked for and received a continuance to September 26, 2000.

**Derdowski, Brian—Case #00-261; Investigator: Kurt Young**

Date Received: November 22, 1999

Date Started: November 23, 1999

Section of Law: RCW 42.17.080, .090, and .240

Status: Investigation Complete

Summary: A complaint was received from Jolie Imperatori alleging that Brian Derdowski failed to have the required books and records available for inspection during the eight days preceding the 1999 general election. The complaint alleged that the financial records supplied were deficient in content. The complaint alleged that Mr. Derdowski failed to file a Statement of Financial Affairs in 1999, and that some of his contribution and expenditure reports were not timely filed.

Disposition: An enforcement hearing has been scheduled for July 25, 2000.

**Ohlsen & Lineberry—Case #00-866; Investigator: Charlie Schreck**

Date Received: October 29, 1999

Date Started: January 7, 2000

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Ivy Nunez-Sigmon alleging that a firefighter from Tumwater (Ms. Ohlsen) and a policeman (Mr. Lineberry) used public facilities to oppose Initiative 695 when they participated in political advertising to oppose the initiative, while in uniform, and with public equipment.

Disposition: An enforcement hearing has been scheduled for July 25, 2000 for Christine Ohlsen and Richard Ridgeway, Tumwater Fire Chief.

## Cases Closed

The following cases were closed as a result of enforcement hearings: (Respondents may appeal the results of enforcement hearings.)

**Neighbors for Briarwood Incorporation--Case #98-382; Investigator: Doug Ellis**

Date Received: March 13 and 23, 1998

Date Started: April 1, 1998

Section of Law: RCW 42.17.040, .080, .090, and .510

Status: Investigation Complete

Summary: Two complaints were received from Mike Proulx, Kris Hanson, and Scott Brown alleging that campaign expenditures were not properly reported, and that books and records were not made available during the eight days preceding the election as required (RCW 42.17.080 and .090). The complaint also alleged that some of the political advertising of Neighbors For Briarwood Incorporation (NBI) lacked proper sponsor identification (RCW 42.17.510). A complaint was also received from Charlene Simons alleging that the individuals involved with Neighbors For Briarwood Incorporation have been involved in working for the

incorporation of Briarwood, and in opposition to annexation attempts in the area, using different group names since 1995. Ms. Simons alleged that the group registered for the first time on December 10, 1997, and that their prior work put them in violation of RCW 42.17.040, .080, and .090. A brief enforcement hearing was held June 22, 2000.

Disposition: Commission Chair Susan Brady found the respondent to be in violation of RCW 42.17.080 and 42.17.090 for exceeding the limitations of the abbreviated reporting option, and for failure to accurately report campaign contributions and expenditures. A civil penalty of \$500 was assessed with \$250 suspended on the condition the major officers of the committee, Brain Smith and Rod Dembowski, commit no further violations of RCW 42.17 in any future incorporation effort. The remaining allegations brought by the complainant were found to be without merit or did not rise to the level of enforcement action.

**Yanity, Allen--#00-231; Investigator: Lori Anderson**

Date Received: September 29, 1999

Date Started: September 29, 1999

Section of Law: RCW 42.17.040, .510, .241, .080, .090, .530

Status: Investigation Complete

Summary: A complaint was received from Ed Hardesty, Chairman of the Committee to Elect Fred Ramsdell, alleging that Allen Yanity, a candidate for Fire District #16 Commissioner, violated numerous provisions of RCW 42.17. The complaint alleged that Mr. Yanity failed to identify related or affiliated political committees on his Candidate Registration statement (PDC form C-1); that he failed to include sponsor identification on a newsletter containing political advertising; that he failed to disclose on his Personal Financial Affairs Statement that he is an officer in a business; that his C-3 and C-4 reports of contributions and expenditures contain errors; and that he falsely implied that he had the endorsement of Fire District 16. A brief enforcement hearing was held June 22, 2000.

Disposition: Commission Chair Susan Brady found the respondent to be in violation of RCW 42.17.241 for failure to file the required F-1 Supplement to the Personal Financial Affairs Statement listing Fire District 16 Oversight Committee and Citizens Crime Patrol. The respondent was also found in violation of RCW 42.17.090 for failure to report all campaign contributions received. For the violation of RCW 42.17.241, a civil penalty of \$50 was assessed. For the violation of RCW 42.17.090, a civil penalty of \$50 was assessed with \$50 suspended on the condition the Respondent files complete campaign finance forms if he is a candidate in a future election campaign. The remaining

allegations brought by the complainant were found to be without merit or did not rise to the level of enforcement action.

**Pierce County Fire District 16--#00-255; Investigator: Lori Anderson**

Date Received: November 8, 1999

Date Started: November 10, 1999

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Allen Yanity alleging that officials of Pierce County Fire District 16 used public facilities of the District to assist the election campaign of Fred Ramsdell, a candidate for Fire Commissioner in the District. The complaint alleged that the Key Peninsula Fire News, published and distributed close to the election by the District, contained articles that assisted Mr. Ramsdell's campaign. A similar complaint was received from James Bosch alleging that officials of Pierce County Fire District 16 (Commissioners Edward Taylor and Ruth Bramhall) used public facilities to publish articles in the October 1999 issue of the Key Peninsula Fire News that assisted Commissioner candidate Fred Ramsdell. The two complaints have been combined in Case #00-255. A brief enforcement hearing was held June 22, 2000.

Disposition: Commission Chair Susan Brady found the respondents, Ruth Bramhall and Edward A. Taylor, to be in violation of RCW 42.17.130 for using public facilities to publish a newsletter that assisted the campaign of candidate Fred Ramsdell. The respondents were assessed a civil penalty of \$200 on the condition future publications of the newsletter during the next four years do not mention candidates.

**Brothers, Stacey—Case #00-262; Investigator: Alan Steele**

Date Received: November 22, 1999

Date Started: November 23, 1999

Section of Law: RCW 42.17.080, .090, and .530

Status: Investigation Complete

Summary: A complaint was received from Peter B. Lewis alleging that Stacey Brothers failed to file all required contribution and expenditure reports. The complaint also alleged that Mr. Brothers distributed false political advertising concerning candidate Gene Cerino. A brief enforcement hearing was held June 22, 2000 concerning the reporting issues. The alleged violation of false political advertising is being handled separately.

Disposition: Commission Chair Susan Brady found the respondent, Stacey Brothers, to be in violation of RCW 42.17.080 and 42.17.090 for failure to timely

report contributions and expenditures during his 1999 campaign for Auburn City Council. The respondent was assessed a civil penalty of \$200 with \$150 suspended on the condition the respondent commits no further violations of RCW 42.17 during his present term of office.

**Pierce County Fire District 16—Case #00-872; Investigator: Lori Anderson**

Date Received: December 10, 1999

Date Started: January 7, 2000

Section of Law: RCW 42.17.130

Status: Investigation Complete

Summary: A complaint was received from Richard Hanna alleging that officials of Pierce County Fire District 16 improperly used public facilities in the 1999 election for Fire Commissioner by publishing a newsletter supporting one of the candidates. A brief enforcement hearing was held June 22, 2000.

Disposition: Case #00-872 was combined with case #00-255 regarding the finding and penalty.

The following cases were dismissed with the concurrence of the Chair:

**Citizens for Snohomish Schools--Case #99-077; Investigator: Alan Steele**

Date Received: March 12, 1999

Date Started: March 19, 1999

Section of Law: RCW 42.17.080 and .090

Status: Investigation Complete

Summary: A complaint was received from Valeria S. Barschaw, alleging: (1) that Citizens for Snohomish Schools (CSS) failed to properly list the employer and occupation data for some of its contributors; (2) that C-3 (Cash Receipts) reports of CSS contained mathematical discrepancies; (3) that CSS received contributions from Snohomish Public Schools; (If substantiated, this would be a violation of RCW 42.17.130 by the school official(s) using, or authorizing the use of, public facilities to assist a candidate or to support or oppose a ballot proposition) and (4) that CSS failed to list all items sold at an auction or the resources contributed to conduct the auction.

Disposition: Dismissed with the concurrence of the Chair. We found that the C-4 reports filed by CSS contained numerous mathematical errors, but the underlying contributions and expenditures were reported accurately. CSS was not in substantial compliance with the requirement to report employer/occupation information, but has since corrected its reports. CSS was cautioned to include employer/occupation information on future C-3 reports. We found that the

contributions listed as being from public schools were actually from the Parent-Teacher Organizations (PTO) at each of the schools. Confusion resulted when CSS loaned its credit card machine to the Machias PTO for its auction and failed to adequately explain the transaction. CSS was advised to avoid this type of activity in the future.

**Brothers, Stacey—Case #00-262; Investigator: Alan Steele (Modify)**

Date Received: November 22, 1999

Date Started: November 23, 1999

Section of Law: RCW 42.17.080, .090, and .530

Status: Investigation Complete

Summary: A complaint was received from Peter B. Lewis alleging that Stacey Brothers failed to file all required contribution and expenditure reports. The complaint also alleged that Mr. Brothers distributed false political advertising concerning candidate Gene Cerino. A brief enforcement hearing was held June 22, 2000 concerning the reporting issues. The alleged violation of false political advertising is being handled separately.

Disposition: Commission Chair Susan Brady found the respondent, Stacey Brothers, to be in violation of RCW 42.17.080 and 42.17.090 for failure to timely report contributions and expenditures during his 1999 campaign for Auburn City Council. The respondent was assessed a civil penalty of \$200 with \$150 suspended on the condition the respondent commits no further violations of RCW 42.17 during his present term of office. Concerning the alleged violation of false political advertising, it was alleged that Stacey Brothers falsely stated that Gene Cerino had voted to raise water rates. We found that while Mr. Cerino was absent when the vote was taken, and did not actually vote for the city council ordinance that created a rate increase, he made statements at a Public Works Committee meeting that supported the eventual ordinance. His statements could be interpreted as favoring increased water rates. Therefore, Mr. Brothers' statements did not fully satisfy the strict "actual malice" or "clear and convincing evidence" standards that are required for an allegation of false advertising to be upheld by the courts. Concerning the allegation that Mr. Brothers sent a mailer implying the endorsement of the South County Journal, we found that Mr. Brothers only used the logo of the Journal to identify the source of a letter to the editor that was part of his advertisement. Nothing in the ad stated or implied that the South County Journal supported or endorsed Mr. Brothers.

**Brothers, Stacey—Case #00-870; Investigator: Alan Steele**

Date Received: November 24, 1999

Date Started: January 7, 2000

Section of Law: RCW 42.17.080, .090, .520

Status: Investigation Complete

Summary: A complaint was received from Eugene Cerino alleging that Stacey Brothers, a candidate for Auburn City Council, exceeded the limits of the mini and abbreviated reporting options, and that he included a photograph of himself that was more than five years old, without including a photo of equal size taken within the last five years.

Disposition: The allegation that Mr. Brothers exceeded the limits of the mini and abbreviated reporting options was handled through a brief enforcement hearing for case #00-262. Concerning the allegation that Mr. Brothers included a photograph of himself that was more than five years old, we found that the photograph was taken in July 1997 and was taken within five years as required by RCW 42.17.520.

**Brothers, Stacey—Case #00-871; Investigator: Alan Steele**

Date Received: December 7, 1999

Date Started: January 7, 2000

Section of Law: RCW 42.17.080, and .090

Status: Investigation Complete

Summary: A complaint was received from Roger Thordarson and Fred Helser alleging that Stacey Brothers, a candidate for Auburn City Council, failed to properly report after changing from the mini reporting option to the full reporting option.

Disposition: Because the allegations in this complaint were identical to those in a complaint filed by Peter Lewis in case #00-262, case #00-871 was closed administratively and the allegations were handled through a brief enforcement hearing for case #00-262.

## **Cases Referred To Attorney General for Further Action**

**Washington State Republican Party--Case #97-268; Investigator: Kurt Young**

Date Received: March 28, 1997

Date Started: March 28, 1997

Section of Law: RCW 42.17.080, .090, .105, and .640

Status: Investigation Complete

Summary: This case arose from an audit conducted of both State Parties following the 1996 general election. Staff alleged the WSRP used exempt contributions for purposes other than those allowed by law. The WSRP produced an "education advertisement" which was critical of gubernatorial candidate Gary Locke, using exempt contributions. The WSRP also used exempt funds to pay for slate cards, polls and surveys.

Disposition: The parties stipulated to facts, violations and penalties of several issues. For the remaining issues, the Commission voted to find an "apparent violation" of RCW 42.17.640 regarding the "Tell Gary Locke" ad, and referred the matter to the Attorney General for further action. The matter was heard in King County Superior Court, and the judge ruled that there was no violation. The matter is under appeal to the Washington State Supreme Court. For the allegation that the WSRP used exempt funds for the slate cards, the Commission found no violation. The Commission was split in its decision as to whether the WSRP used exempt funds improperly for surveys and polls.

## **Part II**

### **Active Investigations**

#### **Investigations In Progress**

**Estes, Ken--Case #99-052; Investigator: Kurt Young**

Date Received: October 15, 1998

Date Started: October 23, 1998

Section of Law: RCW 42.17.640

Status: Under Investigation

Summary: A complaint was received from Kent Hanson, Chair, Snohomish County Democratic Central committee, alleging that the Ken Estes campaign, and certain of its donors, exceeded contribution limits when contributions from various related entities were made to the Friends of Ken Estes campaign. The complaint alleged that because of the relationships between certain entities, those entities share a contribution limit.

Disposition: Pending

**Issaquah School District--Case #99-075; Investigator: Kurt Young**

Date Received: March 8, 1999

Date Started: March 12, 1999

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Bill Elder, alleging that officials of the Issaquah School District used, or authorized the use of, public facilities to support the District's construction bond ballot proposition, which was on the ballot April 27, 1999. The complainant alleged that school district officials promoted the ballot proposition by producing information opposing "multi-tracking" while saying that if the construction bond measure fails, the district will have to go to "multi-tracking". The complainant alleged that school district officials have not presented a balance, objective view of "multi-tracking", thus promoting the ballot measure.

Disposition: Pending

**WA State Democratic Central Committee--#00-237; Investigator: Kurt Young**

Date Received: October 20, 1999

Date Started: October 21, 1999

Section of Law: RCW 42.17.640

Status: Under Investigation

Summary: A complaint was received from John Brabb, alleging that the Washington State Democratic Central Committee used money exempt from contributions limits, in a manner not authorized by RCW 42.17.640.

Disposition: Pending

**Bosch, Jim--#00-238; Investigator: Lori Anderson**

Date Received: October 14, 1999

Date Started: October 25, 1999

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from Betty Livengood Nelsen, alleging that Jim Bosch, a Fire Commissioner in Pierce County Fire District 16, used Fire District facilities (wearing official Fire District attire while campaigning) to assist the campaign of Allen Yanity, a candidate for Pierce County Fire District 16 Fire Commissioner.

Disposition: Pending

**Harman, Tom--#00-254; Investigator: Lori Anderson**

Date Received: November 2, 1999

Date Started: November 10, 1999

Section of Law: RCW 42.17.530

Status: Under Investigation

Summary: A complaint was received from Skip Greene alleging that Tom Harman, a candidate for Sammamish Plateau Water & Sewer Commissioner, distributed political advertising that implied the endorsement of the District.

Disposition: Pending

**Finlayson, Troy--Case #00-257; Investigator: Kurt Young**

Date Received: November 10, 1999

Date Started: November 23, 1999

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A letter was received from the Washington State Auditor's office, along with the Audit Report prepared by the State Auditor's Office for Pierce County Fire Protection District No. 13 for the period January 1, 1996 through December 31, 1998. The letter and Audit Report revealed information concerning the possible use of public facilities by Troy Finlayson, a Fire Commissioner, in a way that may have assisted candidate campaigns and/or supported or opposed ballot propositions.

Disposition: Pending

**Sammamish Plateau Water and Sewer District--Case #00-259; Investigator: Lori Anderson**

Date Received: November 17, 1999

Date Started: November 23, 1999

Section of Law: RCW 42.17.510, .530, and .130

Status: Under Investigation

Summary: A complaint was received from Skip Greene alleging that officials of the Sammamish Plateau Water and Sewer District used public facilities to assist the campaign of Tom Harman.

Disposition: Pending

**King and Pierce County Officials—Case #00-873; Investigator: Phil Stutzman**

Date Received: January 7, 2000

Date Started: January 10, 2000

Section of Law: RCW 42.17.190

Status: Under Investigation

Summary: A complaint was received from Shaw Newman alleging that officials of King, Pierce and Snohomish County improperly used public facilities to

indirectly lobby the legislature by sending out a flyer inviting people to Olympia to lobby for money for transit service lost by the passage of Initiative 695.  
Disposition: Pending

**Seattle Department of Parks and Recreation – Case #00-875; Investigator: Phil Stutzman**

Date Received: February 2, 2000  
Date Started: February 4, 2000  
Section of Law: RCW 42.17.190  
Status: Under Investigation  
Summary: A complaint was received from A. D. Skip Knox alleging that officials of the Seattle Department of Parks and Recreation used public facilities to indirectly lobby the legislature regarding an effort to pursue legislation to create a Local Parks Authority (LPA).  
Disposition: Pending

**Seattle Department of Parks and Recreation – Case #00-876; Investigator: Phil Stutzman**

Date Received: February 2, 2000  
Date Started: February 4, 2000  
Section of Law: RCW 42.17.190  
Status: Under Investigation  
Summary: A complaint was received from Christopher K. Leman alleging that officials of the Seattle Department of Parks and Recreation used public facilities to indirectly lobby the legislature regarding an effort to pursue legislation to create a Local Parks Authority (LPA).  
Disposition: Pending

**Citizens Committee for Arlington Schools -- #00-882; Investigator: Lori Anderson**

Date Received: March 20, 2000  
Date Started: March 27, 2000  
Section of Law: RCW 42.17.530  
Status: Under Investigation  
Summary: A complaint was received from Frank A. Cencak, Barbara J. Cencak, and Charles L. Funk alleging that Citizens for Arlington Schools included their names in newspaper advertisements as endorsing the Arlington School District levy and two bond issues without authorization.  
Disposition: Pending

**Facilities 2000 -- #00-883; Investigator: Kurt Young**

Date Received: March 22, 2000

Date Started: March 27, 2000

Section of Law: RCW 42.17.040

Status: Under Investigation

Summary: A complaint was received from Clark E. Hager, Sr. alleging that Facilities 2000 is an unregistered political committee. Mr. Hager alleges that Facilities 2000 is a group of citizens attempting to put an issue on the ballot in Spokane County and that the group has failed to register with the Public Disclosure Commission.

Disposition: Pending

**Mukilteo School District -- #00-884; Investigator: Lori Anderson**

Date Received: April 11, 2000

Date Started: April 18, 2000

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from George Annillo alleging that officials of the Mukilteo School District used, or authorized the use of, public facilities to support the bond and levy election scheduled for May 16, 2000. It was alleged that officials of the District published a Mid-Year Report, a letter from the President of the School Board, and other informational material that promoted passage of the May 16, 2000 bond and levy.

Disposition: Pending

**Concerned Citizens and Taxpayers -- #00-885; Investigator: Lori Anderson**

Date Received: April 4, 2000

Date Started: April 18, 2000

Section of Law: RCW 42.17.040, .080, .090

Status: Under Investigation

Summary: A complaint was received from David Gittins alleging that an organization called Concerned Citizens and Taxpayers, Thomas E. Steininger, Chairman, has distributed political advertising opposing a school levy ballot proposition in Asotin County without registering and reporting as a political committee.

Disposition: Pending

**Unions and Candidates** – On May 5, 2000, Jami Lund of the Evergreen Freedom Foundation filed 65 complaints against several unions and state office candidates for making or accepting contributions that: (1) were in excess of the limits allowed by RCW 42.17.640; (2) were not reported on PDC form C-7 as required by RCW 42.17.180 and WAC 390-16-071; (3) were not reported on PDC form C-5 as required by RCW 42.17.090; (4) were not forfeited to the state general fund in accordance with RCW 42.17.090 and WAC 390-16-095; (5) were unqualified contributions as set forth in RCW 42.17.640 and WAC 390-16-311; or (6) were accepted in excess of the limit allowed as required by RCW 42.17.640.

**Pierce County Fire District No. 21** – On January 21, 1999 a complaint filed by Donald W. Crisman against officials of Pierce County Fire District No. 21 was dismissed with the concurrence of the Chair of the Commission. The complaint alleged that officials of the District used, or authorized the use of, public facilities to assist a candidate's campaign. The PDC has received additional information from Fire District officials concerning an internal investigation into allegations of misconduct by a Fire District employee. Upon review of the additional material received, PDC staff has decided to re-open its investigation into alleged violations of RCW 42.17 by officials of Pierce County Fire District No. 21.

**Opp, Richard--Case #00-886; Investigator: Kurt Young**

Date Received: June 19, 2000

Date Started: June 27, 2000

Section of Law: RCW 42.17.530

Status: Under Investigation

Summary: A complaint was received from Morris Martin Bereiter alleging that Mr. Opp has falsely represented himself as an incumbent County Commissioner in Pend Oreille County based on the wording on his yard signs.

Disposition: Pending

**Kitsap County Republicans—Case #00-887; Investigator: Lori Anderson**

Date Received: June 19, 2000

Date Started: June 27, 2000

Section of Law: RCW 42.17.080 and .090

Status: Under Investigation

Summary: A complaint was received from Linda Gabriel alleging that the Kitsap County Republicans have failed to properly report its contributions and expenditures in violation of RCW 42.17.080 and .090.

Disposition: Pending

**Friends of Deborah Senn—Case #00-888; Investigator: Kurt Young**

Date Received: June 30, 2000

Date Started: June 30, 2000

Section of Law: RCW 42.17.125 and .790

Status: Under Investigation

Summary: A complaint was filed by the Executive Director of the Public Disclosure Commission alleging that Friends of Deborah Senn used contributions received for her Insurance Commissioner campaign to assist her campaign for U.S. Senate in violation of RCW 42.17.125 and .790.

Disposition: Pending

**Bandarra, Robert—Case #01-001; Investigator: Lori Anderson**

Date Received: July 6, 2000

Date Started: June 11, 2000

Section of Law: RCW 42.17.130

Status: Under Investigation

Summary: A complaint was received from filed by the Executive Director of the Public Disclosure Commission alleging that Friends of Deborah Senn has used contributions received for her Insurance Commissioner campaign to assist her campaign for U.S. Senate in violation of RCW 42.17.125 and .790.

Disposition: Pending

## **Cases Under Review**

**Stevens Hospital Medical Staff--Case #98-017; Investigator: Phil Stutzman**

Date Received: September 8, 1997

Date Started: September 23, 1997

Section of Law: RCW 42.17.040, .065, .080, .090, and .750

Status: Under Review

Summary: A complaint was received from a member of the Stevens Hospital Medical Staff, expressing concern about mandatory donations to the medical staff association. The complaint said the association spends a significant portion of its funds on ballot propositions affecting the Stevens Hospital District. At issue is whether the Stevens Hospital Medical Staff is a political committee, required to register and report with the Public Disclosure Commission.

Disposition: Pending

**Roach, Pam--Case #99-006; Investigator: Kurt Young**

Date Received: July 30, 1998

Date Started: August 3, 1998

Section of Law: RCW 42.17.080 and .090

Status: Under Review

Summary: A complaint was received from Paul Berendt, Chair of the Washington State Democratic Party, alleging that State Senator Pam Roach failed to file campaign disclosure reports as required by law. The complaint alleged that Senator Roach had not filed any reports of contributions and expenditures since November, 1997.

Disposition: Pending

**American Civil Rights Institute--Case #99-066; Investigator: Doug Ellis**

Date Received: October 16, 1998

Date Started: October 20, 1998

Section of Law: RCW 42.17.100

Status: Under Review

Summary: A complaint was received from Kelly Evans, alleging that the American Civil Rights Institute engaged in political advertising in support of Initiative 200, and did not report its expenditures as an independent expenditure, or as an in-kind contribution to the political committee supporting Initiative 200. The American Civil Rights Institute is from Sacramento, California.

Disposition: Pending

**Pioneer School District (Dick Sirokman)--Case #99-079; Investigator: Alan Steele**

Date Received: April 19, 1999

Date Started: April 23, 1999

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from John E. Diehl, alleging that officials of Pioneer School District (Dick Sirokman, School Superintendent) used, or authorized the use of, school district facilities to promote a school ballot proposition. The complaint alleged that flyers (fact sheets) distributed by the school district were intended, by their timing and content, to promote an April 27, 1999 ballot proposition.

Disposition: Pending

**Thurston Citizens For Public Transportation--Case #99-082; Investigator: Kurt Young**

Date Received: June 21, 1999

Date Started: June 24, 1999

Section of Law: RCW 42.17.080 and .090

Status: Under Review

Summary: A complaint was received from Tom Copeland alleging that Thurston Citizens For Public Transportation failed to file a post election report of contributions and expenditures, due by April 10, 1999, following the March 9, 1999 election.

Disposition: Pending

**Ramsdell, Fred--Case #00-004; Investigator: Alan Steele**

Date Received: July 30, 1999

Date Started: August 5, 1999

Section of Law: RCW 42.17.080, .240, and .510

Status: Under Review

Summary: A complaint was received from Alan Yanity alleging a variety of reporting deficiencies in the reporting of contributions and expenditures by Mr. Ramsdell's campaign. The complaint alleged reporting deficiencies in the Personal Financial Affairs statement (F-1) of Mr. Ramsdell. The complaint also alleged that Mr. Ramsdell improperly implied that he was an incumbent Fire Commissioner in Pierce County Fire District 16, and that Mr. Ramsdell's political advertising failed to contain proper sponsor identification.

Disposition: Pending

**Ramsdell, Fred--#00-016; Investigator: Alan Steele**

Date Received: August 30, 1999

Date Started: September 7, 1999

Section of Law: RCW 42.17.080, .090, and .530

Status: Under Review

Summary: A complaint was received from Donna Bosch alleging that Fred Ramsdell falsely implied, in his political advertising, that he was an incumbent fire commissioner in Pierce County Fire District 16 (42.17.530). The complaint also alleged that the Ramsdell campaign failed to report unreported in-kind contributions (42.17.080 and .090). The complaint alleged that Mr. Ramsdell failed to list all of his businesses on his Personal Financial Affairs Statement (42.17.241) and that he used Park and Recreation District property to assist his

campaign (42.17.130). The complaint alleged that Mr. Ramsdell falsely claimed to have endorsements (42.17.530).

Disposition: Pending

**Fife City Council--#00-017; Investigator: Alan Steele**

Date Received: August 6, 1999

Date Started: September 7, 1999

Section of Law: RCW 42.17.040 and .240

Status: Under Review

Summary: A complaint was received from Garrett Spies alleging that several candidates for Fife City Council: failed to file a Statement of Financial Affairs (RCW 42.17.240); failed to file a Candidate Registration Statement (42.17.040); sponsored false political advertising (42.17.530); and falsely implied that a candidate was an incumbent City Council member (42.17.530).

Disposition: Pending

**Hazel Dell Sewer District Employees--#00-212; Investigator: Lori Anderson**

Date Received: September 20, 1999

Date Started: September 29, 1999

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Tim Hall, a candidate for Hazel Dell Sewer District Commissioner, alleging that employees of the Sewer District used public facilities to oppose his candidacy by giving information to a newspaper reporter about his four-year-old account dispute with the Hazel Dell Sewer District. The complaint also alleged that officials of the Sewer District used public facilities to oppose Mr. Hall's candidacy by withholding budget and operations information about the Sewer District.

Disposition: Pending

**Greene, Roberta--#00-230; Investigator: Lori Anderson**

Date Received: September 27, 1999

Date Started: September 29, 1999

Section of Law: RCW 42.17.080 and .090

Status: Under Review

Summary: A complaint was received from John Gutierrez, alleging that Roberta Greene, a candidate for re-election to the Spokane City Council, failed to report the receipt of in-kind contributions for political advertising on bus benches and billboards. The complaint also alleged that the pledge of future in-kind

contributions for political advertising on bus benches and billboards was not reported. On November 1, 1999, John Gutierrez filed an additional complaint, alleging that in 1995, Roberta Greene also failed to properly report the receipt of in-kind contributions concerning political advertising on bus benches. Both complaints are combined in Case #00-230.

Disposition: Pending

**Larrabee Elementary School--#00-232; Investigator: Lori Anderson**

Date Received: September 21, 1999

Date Started: October 11, 1999

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Denise Baker, alleging that officials of Larrabee Elementary School, in Bellingham School District #501, used public facilities to oppose Initiative 695 when they sent a copy of a resolution adopted by the Bellingham School District Board of Directors opposing Initiative 695 home with students.

Disposition: Pending

**Winters, Robert A.--#00-234; Investigator: Lori Anderson**

Date Received: October 7, 1999

Date Started: October 11, 1999

Section of Law: RCW 42.17.040 and .240

Status: Under Review

Summary: A complaint was received from William A. Camp, alleging that Robert A. Winters, a candidate for Bremerton City Council, did not file a Candidate Registration Statement (PDC form C-1) until after the Primary Election, and that he has not filed a Personal Financial Affairs Statement (PDC form F-1). The complaint also alleged that the C-1 does not provide an address at which campaign records can be viewed during the eight days before the election.

Disposition: Pending

**Benoit, Mike--#00-239; Investigator: Lori Anderson**

Date Received: October 18, 1999

Date Started: October 26, 1999

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Steve and Christine Cope, alleging that officials of Sherwood Forest Elementary School (Mike Benoit, Principal) in the Federal Way School District, used, or authorized the use of, school facilities to assist the campaign of Mary Kenfield. The complaint alleged that campaigning was allowed on school property during the school's open house.

Disposition: Pending

**Eberhart, Carol--#00-240; Investigator: Lori Anderson**

Date Received: October 18, 1999

Date Started: October 26, 1999

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Sandra Branlund, alleging that officials of Saghale Junior High School (Carol Eberhart, Principal) in the Federal Way School District, used, or authorized the use of, school facilities to assist the campaign of Mary Kenfield. The complaint alleged that campaigning was allowed on school property during the school's open house.

Disposition: Pending

**Concerned Citizens for Better Government--#00-241; Investigator: Alan Steele**

Date Received: October 21, 1999

Date Started: October 25, 1999

Section of Law: RCW 42.17.080 and .090

Status: Under Review

Summary: A complaint was received from Meg Van Wyk, alleging that Concerned Citizens for Better Government (Joseph C. Coomer) has distributed political advertising without filing the proper campaign disclosure reports.

Disposition: Pending

**Moxee Firefighters Association--#00-243; Investigator: Alan Steele**

Date Received: October 22, 1999

Date Started: October 25, 1999

Section of Law: RCW 42.17.510, .130, and .530

Status: Under Review

Summary: A complaint was received from Jacqui Walker, alleging that the Moxee Firefighters Association failed to include a proper sponsor identification on a political advertising flyer (42.17.510); that officials of Fire District #4 used, or authorized the use of, Fire District facilities when the Moxee Firefighters Association used the address of a fire station as the return address for the flyer

(42.17.130); and that the flyer falsely implied that all firefighters in Fire District #4 endorsed the re-election of Fire Commissioner Gene Gamache (42.17.530).  
Disposition: Pending

**Woo, Wing--#00-246; Investigator: Kurt Young**

Date Received: October 29, 1999

Date Started: November 5, 1999

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Stephen Lamphear alleging that Wing Woo, a candidate for Burien City Council, used public facilities to assist his campaign when Mr. Woo wore his King County Sheriff's uniform in political advertising.

Disposition: Pending

**James, Kevin--#00-247; Investigator: Kurt Young**

Date Received: October 29, 1999

Date Started: November 5, 1999

Section of Law: RCW 42.17.095

Status: Under Review

Summary: A complaint was received from Stephen Lamphear alleging that Kevin James, a candidate for Burien City Council, transferred funds to the campaigns of Rose Clark and Wing Woo, when he used campaign funds to pay for a flyer supporting the election of Wing Woo, Rose Clark and Kevin James for Burien City Council.

Disposition: Pending

**Spani, Marco--#00-248; Investigator: Kurt Young**

Date Received: October 29, 1999

Date Started: November 5, 1999

Section of Law: RCW 42.17.100

Status: Under Review

Summary: A complaint was received from Stephen Lamphear alleging that Marco Spani and Julie Burr Spani distributed a flyer supporting Rose Clark, Kevin James, and Wing Woo, candidates for Burien City Council, and failed to file the required report of Independent Expenditures (PDC form C-6).

Disposition: Pending

**Burien Watch--#00-249; Investigator: Kurt Young**

Date Received: October 29, 1999

Date Started: November 5, 1999

Section of Law: RCW 42.17.040, .080, .090, and .100

Status: Under Review

Summary: A complaint was received from Stephen Lamphear alleging that Burien Watch failed to register and report as a political committee, and that they made an independent expenditure without filing PDC form C-6.

Disposition: Pending

**Friends of Burien--#00-250; Investigator: Kurt Young**

Date Received: October 29, 1999

Date Started: November 5, 1999

Section of Law: RCW 42.17.040, .080, .090, and .100

Status: Under Review

Summary: A complaint was received from Stephen Lamphear alleging that Friends of Burien failed to register and report as a political committee, and that they made an independent expenditure without filing PDC form C-6.

Disposition: Pending

**Committee to Elect Wing, Rose and James--#00-251; Investigator: Kurt Young**

Date Received: October 29, 1999

Date Started: November 5, 1999

Section of Law: RCW 42.17.510

Status: Under Review

Summary: A complaint was received from Stephen Lamphear alleging that Committee to Elect Wing, Rose and James failed to include proper sponsor identification in a political advertisement supporting Wing Woo, Rose Clark and Kevin James for Burien City Council.

Disposition: Pending

**French II, Alfred G.--#00-252; Investigator: Lori Anderson**

Date Received: November 1, 1999

Date Started: November 5, 1999

Section of Law: RCW 42.17.241

Status: Under Review

Summary: A complaint was received from John Gutierrez alleging that Alfred G. French II, a candidate for Spokane City Council, failed to list all of his debts on his Personal Financial Affairs Statement (PDC form F-1).  
Disposition: Pending

**Word, Terry--#00-253; Investigator: Alan Steele**

Date Received: November 1, 1999

Date Started: November 8, 1999

Section of Law: RCW 42.17.080, .090, .130, 510, and .530

Status: Under Review

Summary: A complaint was received from Mark Noble alleging that Terry Word, a candidate for Commissioner, Thurston County Fire District No. 9: (1) exceeded the limits of the Mini Reporting option (42.17.080 and .090); (2) used public facilities to assist his campaign (42.17.130); (3) failed to include proper sponsor identification on political advertising (42.17.510); (4) implied an endorsement he did not have (42.17.530); and (5) distributed false political advertising (42.17.530).

Disposition: Pending

**Garfield High School--#00-256; Investigator: Lori Anderson**

Date Received: November 8, 1999

Date Started: November 10, 1999

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Joseph Coomer alleging that officials of Garfield High School, in the Seattle School District, used public facilities of the School to assist the No on Initiative 695 Campaign by encouraging students to go to events, including University of Washington football games and other events, to campaign on behalf of the No on I-695 campaign for extra credit.

Disposition: Pending

**Needham, Shawn--Case #00-258; Investigator: Alan Steele**

Date Received: November 17, 1999

Date Started: November 23, 1999

Section of Law: RCW 42.17.510, .530, and .130

Status: Under Review

Summary: Four letters were received between November 12<sup>th</sup> and 17<sup>th</sup> alleging violations of RCW 42.17 by Shawn Needham, a candidate for Grant County Hospital Board. The complaints were from Linette Pearce, Emily Webster, Betty

Ostrander, and Rose Marie Schemper. The complaints alleged (1) that a political advertisement did not contain proper sponsor identification; (2) that a political advertisement listing the endorsement of several physicians included the names of some individuals who did not consent to having their names used in an endorsement ad; and (3) that campaign signs for Shawn Needham and Bill Wilson were placed on hospital district property.

Disposition: Pending

**Rae, Diane and O'Connor, Frank (Capital High School, Olympia School District)—  
Case #00-263; Investigator: Charlie Schreck**

Date Received: November 5, 1999

Date Started: December 6, 1999

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from David Gaston alleging that a flyer from the Olympia Education Association/North Thurston Education Association (OEA/NTEA) recommending school board candidates and positions on Initiative 695, was left on his desk at Capital High School on October 25, 1999. The respondents are Diane Rae, the union building representative at Capital High School for the Olympia Education Association and Frank O'Connor, the Principal of Capital High School.

Disposition: Pending

**O'Sullivan, Jim and Allen, Dick (Olympia High School, Olympia School District)—  
Case #00-264; Investigator: Charlie Schreck**

Date Received: November 15, 1999

Date Started: December 6, 1999

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Barbara Amidon alleging that a flyer from the Olympia Education Association/North Thurston Education Association (OEA/NTEA) recommending school board candidates and positions on Initiative 695, was left in her school mail box on November 2, 1999 during school hours. The complaint said approximately 100 other staff mail boxes also contained the flyer. The respondents are Jim O'Sullivan, the union building representative at Olympia High School for the Olympia Education Association and Dick Allen, the Principal of Olympia High School.

Disposition: Pending

**Ramsdell, Fred—Case #00-867; Investigator: Alan Steele**

Date Received: November 15, 1999

Date Started: January 7, 2000

Section of Law: RCW 42.17.130

Status: Under Review

Summary: A complaint was received from Alan Yanity alleging that Fred Ramsdell, a candidate for Commissioner in Pierce County Fire District 16, used public facilities of Fire District 16 in Mr. Ramsdell's campaign.

Disposition: Pending

**Yanity, Allen—Case #00-868; Investigator: Lori Anderson**

Date Received: November 18, 1999

Date Started: January 7, 2000

Section of Law: RCW 42.17.510 and .530

Status: Under Review

Summary: A complaint was received from Ed Hardesty alleging that Alan Yanity, a candidate for Commissioner in Pierce County Fire District 16, failed to include proper sponsor identification in his advertising, and that the ads contained false statements of material fact.

Disposition: Pending

**Bosch, Jim—Case #00-869; Investigator: Alan Steele**

Date Received: November 24, 1999

Date Started: January 7, 2000

Section of Law: RCW 42.17.080, .090, .130, .240, and .510

Status: Under Review

Summary: A complaint was received from Ed Hardesty alleging that James Bosch, a Commissioner in Pierce County Fire District 16, violated several sections of RCW 42.17. The allegations concern Mr. Bosch's 1997 campaign for Fire Commissioner, and his support of Alan Yanity in Mr. Yanity's campaign for Fire Commissioner in 1999. The allegations include: failure to report in-kind contributions (1997); use of public facilities (1999); failure to include all required

information on the Personal Financial Affairs Statement (PDC form F-1) (1997-1999); exceeding the limits of the abbreviated reporting option (1997); failure to include sponsor identification in political advertising (1997).  
Disposition: Pending

**Everett School District--Case #00-874; Investigator: Lori Anderson**

Date Received: January 10, 2000

Date Started: January 18, 2000

Section of Law: RCW 42.17.680

Status: Under Review

Summary: A complaint was received from Jami Lund of the Evergreen Freedom Foundation alleging that the Everett School District has failed to maintain for public inspection documents and books of account concerning payroll deductions. The complaint alleges that the District has failed to maintain a copy of each employee's request, the amounts and dates funds were actually withheld, and the amounts and dates funds were transferred to a political committee.

Disposition: Pending

**Kent School District -- #00-877; Investigator: Lori Anderson**

Date Received: January 27, 2000

Date Started: February 4, 2000

Section of Law: RCW 42.17.680

Status: Under Review

Summary: A complaint was received from Jami Lund of the Evergreen Freedom Foundation alleging that the Kent School District has failed to maintain for public inspection documents and books of account concerning payroll deductions. The complaint alleges that the District has failed to maintain a copy of each employee's request, the amounts and dates funds were actually withheld, and the amounts and dates funds were transferred to a political committee.

Disposition: Pending

**Vancouver School District -- #00-878; Investigator: Lori Anderson**

Date Received: February 4, 2000

Date Started: February 11, 2000

Section of Law: RCW 42.17.680

Status: Under Review

Summary: A complaint was received from Jami Lund of the Evergreen Freedom Foundation alleging that the Vancouver School District has failed to maintain for public inspection documents and books of account concerning payroll deductions.

The complaint alleges that the District has failed to maintain a copy of each employee's request, the amounts and dates funds were actually withheld, and the amounts and dates funds were transferred to a political committee.  
Disposition: Pending

**Castle Rock School District -- #00-879; Investigator: Lori Anderson**

Date Received: February 4, 2000

Date Started: February 11, 2000

Section of Law: RCW 42.17.680

Status: Under Review

Summary: A complaint was received from Jami Lund of the Evergreen Freedom Foundation alleging that the Castle Rock School District has failed to maintain for public inspection documents and books of account concerning payroll deductions. The complaint alleges that the District has failed to maintain a copy of each employee's request, the amounts and dates funds were actually withheld, and the amounts and dates funds were transferred to a political committee.

Disposition: Pending

**Honican, Joan & Rollie -- #00-881; Investigator: Alan Steele**

Date Received: March 10, 2000

Date Started: March 15, 2000

Section of Law: RCW 42.17.100

Status: Under Review

Summary: A complaint was received from Linda Chalich and Kristi Kurle on behalf of Citizens for Pullman Schools alleging that Rollie and Joan Honican made an independent expenditure opposing a February 29, 2000 ballot proposition, and failed to file the required forms with the Public Disclosure Commission.

Disposition: Pending

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